

EXHIBIT 265

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF GEORGIA
3 ATLANTA DIVISION
4

5 Civil Action No. 1:17-cv-02989-AT
6

7 _____
8 DONNA CURLING, et al.,

9 Plaintiffs,

10 vs.

11 BRAD RAFFENSPERGER, et al.,

12 Defendants.
13 _____

14 VIDEOTAPED VIDEOCONFERENCE DEPOSITION OF

15 ALEX ANDREW CRUCE

16 DATE: November 22, 2022

17 TIME: 10:03 a.m. to 3:49 p.m. CDT

18 LOCATION: Witness location
19

20 REPORTED BY: Felicia A. Newland, CSR

21 Veritext Legal Solutions

1250 Eye Street, N.W., Suite 350

22 Washington, D.C. 20005

1 A Yes.

2 Q Okay. I'll come back to that in a
3 second. Let's look at Exhibit 2.

4 A Okay.

5 Q And is Exhibit 2 a January 7 e-mail
6 from Scott Hall to you?

7 A Yes.

8 Q And he's forwarding an e-mail from
9 Misty Martin, correct?

10 A Correct.

11 Q And she's also known as Misty
12 Hampton. Is that your understanding?

13 A I don't know.

14 Q She's the elections director of --
15 she was the election director in Coffee County,
16 right?

17 A I believe so, yes.

18 Q And what are the files that she sent
19 to Scott Hall and that Scott Hall sent to you?

20 A Well, the ICC log and SLOG. I
21 downloaded them into a notepad, so a bunch of
22 numbers and dates, sequences.

1 A Not really.

2 Q What about the SLOG, does that
3 typically -- what does that stand for in your line
4 of work?

5 A In my line of work?

6 Q Yeah. In -- what does that mean?

7 A What does my line of work mean?

8 Q No, what does SLOG mean.

9 A I'm not sure.

10 Q You don't know?

11 A Not really, no.

12 Q But then you -- without knowing what
13 these documents were, you sent them to David Cross?

14 A I'm not sure that I sent them to
15 David Cross.

16 Q Okay. He asked you for them. Is
17 that correct?

18 A Yes.

19 Q And you don't recall whether you sent
20 them to him or not. Is that fair to say?

21 A Yes.

22 Q And do you know the purpose of these

1 logs or what they do or what they show?

2 A Just by looking at them, it looks
3 like a history of what the machines did during the
4 election as far as when they scan the votes. I'm
5 not certain of that but just a description.

6 Q So it's a computer-generated log of
7 what the computer did during the election?

8 A I guess. I don't know.

9 Q And then we were -- the topic was
10 your communications with David Cross. And we
11 talked about the logs and we talked about the
12 videos, the video meetings. What other
13 communications or meetings did you have with David
14 Cross?

15 A As far as meeting in person or like
16 video meetings?

17 Q Well, yeah, meetings in person, we'll
18 start with that.

19 A So I know he works in money
20 management, and when I left the Cheeley Law Firm, I
21 rolled my IRA into an account with him. Strictly
22 business. So we met with that. I never met with

1 him in person, I don't believe. I don't recall if
2 we met in person.

3 Q Okay. And did you have other
4 communications with David Cross about elections,
5 not about your -- your 401(k) or your IRA?

6 A Yes.

7 Q And tell me about those.

8 A Well, in 2020, there was a lot of
9 hype around the anomaly from the Edison data, it's
10 like a feed to The New York Times. And he was --
11 he was -- he was all about that and I was not, so I
12 was in meetings where they talked about this, but I
13 wasn't very attentive.

14 Q Okay. Other than the Edison data,
15 what other communications did you have with David
16 Cross, if you recall?

17 A Is my video frozen?

18 Q It is.

19 Can you hear me?

20 A I can hear you.

21 Can you hear me?

22 Q Yeah, but let's just wait until your

1 like that?

2 A I don't recall.

3 Q Do you recall Misty Hampton giving
4 you a thumb drive?

5 A Yes, I do believe she -- she did.

6 Q And do you recall what was on that
7 thumb drive?

8 A I'm sorry. I believe it was the ICC
9 and log and the SLOG file.

10 Q Anything else?

11 A I don't -- I don't think so, no.

12 Q And did you ask her for that data?

13 A I did not. I didn't understand what
14 the log files were.

15 Q And so she just gave that to you
16 without you asking for it?

17 A I'm not -- I'm not sure. She -- I
18 think she had the most information about it and she
19 wanted me to analyze it.

20 Q Okay. And did you analyze it?

21 A A little bit.

22 Q And those files are the files that

1 you produced to us, right, that are attached to
2 that e-mail from Scott?

3 A Yes. So e-mailed, and I believe that
4 the thumb drive, I believe, it was the same thing.
5 It was nothing -- I don't think -- I'm not sure
6 exactly.

7 Q Well, if you -- if you --

8 A The only thing that I have in my --
9 on my computer and belongings from -- from Coffee
10 County are this ICC and SLOG file, so . . .

11 Q And those are the ones that are
12 identified on Exhibit 2?

13 A Yes.

14 Q Okay. So it looks like before you
15 left, Scott Hall e-mailed those files to you. Is
16 that right? If you look --

17 A That's what it looks like, yeah.

18 Q And so could you have made a -- and
19 did you download those onto a thumb drive before
20 you left or what?

21 A I don't -- I don't remember. I don't
22 recall.

1 don't know.

2 Q Okay. So did you ask him who might
3 have told him how he knew you had the files with
4 you?

5 A No. Honestly, I was trying to
6 just -- I was done about that time with all of
7 everything, of the elections.

8 Q Okay. And at the time, the only log
9 files you had with you were the Coffee County log
10 files, correct?

11 A Yeah.

12 Q Okay. So that was the only log files
13 you could have given him, even though he was asking
14 for log files in general, correct?

15 A From -- my understanding is that
16 election officials around the state of Georgia had
17 been handing over SLOG files. It was a lot that
18 actually were giving them to people. So I think he
19 was just trying to gather more from different
20 elections, so . . .

21 Q Okay. And the log files, you said
22 Scott sent you an e-mail containing, which is the

CERTIFICATE OF NOTARY PUBLIC

I, FELICIA A. NEWLAND, CSR, the officer before whom the foregoing video-recorded deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me in stenotype and thereafter reduced to typewriting under my direction; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



FELICIA A. NEWLAND, CSR

Notary Public

My commission expires:

September 15, 2024